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By

Juliana Hermes, Law Offices of Jonathan Alan Quine

TECH CENTER 1600/2900

Attorney Docket No. 02-025630US  
Client Reference No.: 0113.004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Venkiteswatan Subramanian, et al.

Examiner: D. Kruse

Application No.: 09/373,333

Art Unit: 1638

Filed: August 12, 1999

For: DNA SHUFFLING TO PRODUCE  
HERBICIDE SELECTIVE CROPS

SUBMISSION OF POWER OF  
ATTORNEY OR AUTHORIZATION OF  
AGENT, NOT ACCOMPANYING  
APPLICATION

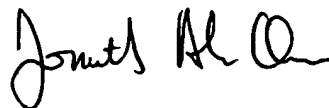
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please make of record the following enclosed documents regarding the above-identified application:

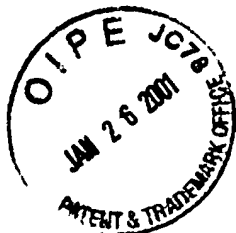
- 1) Power of Attorney or Authorization of Agent, Not Accompanying Application
- 2) Statement Under 37 CFR 3.73(b)
- 3) Copy of Assignment, (-not for recordation-note: The Assignment for recordation was sent concurrently under separate cover to Box Assignment, pursuant to the MPEP @ Page 300-M and Form PTO-1619A)
- 4) Change of correspondence address

Respectfully submitted,



Jonathan Alan Quine, J.D., Ph.D.  
Reg. No. 41.261

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT, NOT  
ACCOMPANYING APPLICATION**

Application Number	09/373,333
Filing Date	August 12, 1999
First Named Inventor	Venkiteswatan Subramanian
Group Art Unit	1638
Examiner Name	D. Kruse
Attorney Docket Number	02-025630US

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JAN 31 2001

TECH CENTER 1600/2900

I hereby appoint:

☒ Practitioners at Customer Number

22798

Type Customer Number Here

AND

☒ Practitioner(s) named below:

Name	Registration Number
Norman J. Kruse	35,235
Sharon Fujita	38,459
Joanne Petithory	42,995
Margaret A. Powers	39,804



as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

Firm or Individual Name				
Address				
Address				
City	State	Zip		
Country				
Telephone	Fax			

I am the

Applicant.

☒ Assignee of record of the entire interest (*Certificate under 37 CFR 3.73(b) is enclosed*)

SIGNATURE of Applicant or Assignee of Record

Name	Michael S. Rabson
Signature	<i>[Signature]</i>
Date	12/27/00

**CERTIFICATE OF MAILING**

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Typed or printed name	Juliana Hermes	Signature	<i>[Signature]</i>	Date	January 22, 2001
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**STATEMENT UNDER 37 CFR 3.73(b)**

**RECEIVED**

Applicant: Venkiteswatan Subramanian, et al.

JAN 31 2001

Application No.: 09/373,333

Filed: August 12, 1999

Entitled: DNA SHUFFLING TO PRODUCE HERBICIDE SELECTIVE CROPS

TECH CENTER 1600/2900

Maxygen, Inc.

, a

corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [ X ] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

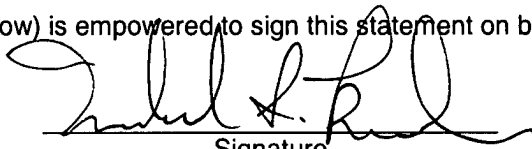
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.
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The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet

[X] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

12/27/00  
Date

  
Signature  
Michael S. Rabson  
Typed or printed name  
General Counsel  
Title

*ASSIGNMENT*

*WHEREAS, WE,* Venkiteswaran Subramanian  
Willem P.C. Stemmer  
Linda A. Castle

Umesh S. Muchhal  
Daniel L. Siehl

hereinafter referred to as *ASSIGNORS*, have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: DNA Shuffling to Produce Herbicide Selective Crops

Date of Execution: September 24, 27, 28, & 29, 1999

Filing Date: August 12, 1999

Serial No: 09/373,333

*WHEREAS*, MAXYGEN, INC., 515 Galveston Drive, Redwood City, California 94063, a corporation of the State of Delaware, hereinafter referred to as *ASSIGNEE*, is desirous of acquiring the entire right, title and interest in the above invention and application and in any Letters Patent which may be granted on the same;

*NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:* Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to *ASSIGNORS* by *ASSIGNEE*, receipt of which is hereby acknowledged, *ASSIGNORS* have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said *ASSIGNEE*, and *ASSIGNEE'S* successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. §119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said *ASSIGNEE* as fully and exclusively as it would have been held and enjoyed by said *ASSIGNORS* had this assignment and transfer not been made, to the full end and term of any Letters Patent.

*ASSIGNORS* also agree that the U.S. serial number may be entered above by *ASSIGNEE* or its agents upon designation of the serial number by the U.S. Patent and Trademark Office.

*ASSIGNORS* further agree that they will, without charge to said *ASSIGNEE*, but at *ASSIGNEE'S* expense, cooperate with *ASSIGNEE* in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers,

**NOT FOR RECORDATION**

including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as *ASSIGNEE* lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said *ASSIGNEE*, or *ASSIGNEE'S* successors and assigns.

*IN TESTIMONY WHEREOF, ASSIGNORS* have hereunto signed their names to this assignment on the dates indicated below.

DATE x 9/24/99

x Venkiteswaran Subramanian  
Inventor - Venkiteswaran Subramanian

x Patrice G. Montor  
Witnessed

DATE 9-28-99

Inventor - Willem P.C. Stemmer

W. Stemmer  
Witnessed

DATE 9-29-99

Linda A. Castle  
Inventor - Linda A. Castle

W. Castle  
Witnessed

DATE 9/27/99

Umesh S. Muchhal  
Inventor - Umesh S. Muchhal

W. Muchhal  
Witnessed

DATE 27 SEP99

Daniel L. Siehl  
Inventor - Daniel L. Siehl

W. Siehl  
Witnessed